

CLASSIFICATION OFFICE DECISION

Title of publication: bedtwo01

Other known title(s): Not stated

OFLC ref: 1900041.007

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Waitakere District Court

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 28 February 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

Summary of reasons for decision:

The publication is a highly sexualised image of two naked young boys in a sexually exploitative situation. It is deemed to be objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 because it promotes and supports the exploitation of children for sexual purposes. The image is clearly intended to titillate and arouse those with a sexual interest in young boys. The availability of such material encourages the creation or reinforcement of this sexual interest by presenting children as appropriate and available subjects for adult sexual fantasy and desire. The objectionable classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention to ban material that falls under s3(2) of the FVPC Act and reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.